

Jan.22,1989

Complaint:

RE.BEN HARDY, ILLEGAL ATT.

PAGE ONE OF EIGHT PAGES:

Ky. Bar.Association;  
West Main at Ky. River  
Frankfort , Ky. 40601

This complaint will cover in general the Illegal operation of  
the Hofgesang Estate and the Hofgesang Foundation, Inc. and various business"s  
operated by The Hofgesang, FOUNDATION, INC. OWNER:--BEN HARDY ILLEGAL ATTORNEY:

A.\*\*LEES LANE LANDFILL--Hofgesang Sand Co, Inc.--BEN HARDY PRESIDENT AND SUPERVISOR  
AND PAUL LYNCH MANAGER.

B.\*\*EAGLE MACHINE CO.INC, D.B.A. CRITTENDEN DRIVE SALVAGE, & CRITTENDEN STEEL AND  
SALVAGE. BEN HARDY PRESIDENT AND PAUL LYNCH MANAGER.

C.\*\*KNOX SANITATION, INC. BEN HARDY PRESIDENT AND PAUL LYNCH PROMOTING KNOX ON  
50/50 BAISES PROFIT: (BEN HARDY--THEIF OF FED. TAX--BANKRUPTCY KNOX))

D.\*\*HOFGESANG, ESTATE AND HOFGESANG FOUNDATION, INC.--PAUL LYNCH MANAGER OF THE  
OPERATION IN GENERAL: REALITY , BUSINESS'S IN GENERAL SALES AND REPAIRS AND ETC.

\*\*\*\*\*

E.\*\*BEN HARDY ILLEGAL ACTS--FRAUD PLANNED--PERJURY--THIEF OF MONEY--TOTAL DISRESPECT  
OF THE COURTS, FEDERAL & STATE--AND HUMAN DIGNETY OF OTHER PEOPLE RIGHTS, CREDITORS.

F.\*\* HARDY'S BREACH OF VERBAL AGREEMENT TO JOE HOFGESANG--SETTLING ESTATE TIMELY.3 YRS.

\* G.\*\*ILLEGAL ADVICE & USE OF FREINDSHIP--CAUSING PAUL LYNCH TO PERJURY HIMSELF= HARDY  
GUARANTEED TO PAY OF CASE WAS LOST--STRICKLAND. WORKMANS COMP CASE:

→ E.\*\*\*\*\*\*\*EWING HARDY SR. ATT. PASSED AWAY\*\*\*\*\*  
THIS LEAVING a Will and a Hofgesang Foundation, In controll by Ben Hardy.

→ F.\*\*\*\*\*\*\*JOE HOFGESANG CALLED me to his office in the rear of his home as he  
was aware that Ben Hardy and I have Been togeater sinc Late 50's. Joe stated he was  
concerned about Ben Hardy having no background business but thought about using  
Citizen Bank for his admistrator or Excutor. and if I thought Ben could possable  
handel the Estate. I told Joe I thought He could and If he got into trouble with  
the business I would assist him. Joe decided to use Ben Hardy and a meeting took  
place at Joes office at 3745 Crittenden Dr. Hardy and I attended.



5

➤ WE DISCUSSED THE WILL AND THE Foundation, Inc. and Joe told Ben how he wanted his Assets handled in his Estate; and the Foundation, Inc. VERBAL AGREEMENT:

\*\*\*Joe said he wanted all his assets sold within three (3) years and all assets to purchase Intrest bearing Stocks and Bond and be Placed in the Hofgesang Foundation. INC.

➤ \*\*\*JOE AGREED TO PAY BEN HARDY TO DISPOSE OF THE ASSETS WITHIN THAT TIME AND JOE SAID HE WOULD PAY BEN HARDY \$100,000.00 ONE HUNDRED THOUSAND DOLLARS TO COMPLEAT THE TRANSITION INCLUDING EXPENSES IN THE Money offered. Ben Hardy Agreed;

➤ \*\*Joe explained to Ben Hardy why he wanted his Estate closed out that way. He did not want to have a large yearly att. fee;s. That way all Ben had to do was Purchase Intrest bearin Stock and Bond, and once a year there after, all Ben had to do is once a year add up the intrest money less a normal legal fee and give the money to charty and that way the Hofgesang Foundation, Inc. would Live on forever;

\*\*\*\*\*JOE HOFGESANG PASSED AWAY\*\*\*\*\*

➤ G.\*\*\*\*\*BEN HARDY QUILIFIES AS EXECUTOR OF THE HOFGESANG ESTATE AND PRESIDENT OF THE HOFGESANG FOUNDATION, IN. WITHOUT BOND:

➤ H.\*\*\*\*\*BEN HARDY DISCUSSED THE FOUNDATION WITH ME AND STATED THE FEDERAL HAD A (5) FIVE YEAR CLOSE OUT for Chartable Corp. that he had to revert to (5 yr. plan.

➤ I.\*\*\*\*\*BEN HARDY AND I WENT AND LOOKED OVER THE ESTATE AND EXAMINED THE VARIOUS BUSINESS.AND REALITY.

➤ J.\*\*\*\*\*WE FOUND Lee's Lane Landfill operation Illegaly and Ben asked ME to Manage the operation and he would supervise and I would receive the same money the operater that was fired. (Hardy filed a 10,000,000,00 Ten millon suit, but lost *the case* Ben made Legal fees , extray income. (PROFFIT APP. \$2,000.00 PER DAY)

➤ K.\*\*\*\*\* I MANAGED THE LEE'S LANDFILL AND SAND CO. BUY EQUIPMENT OUT OF MY SHARE OF THE INCOME. -50/50 split of the profits. app \$2,000.00 per day;

L.\*\*\*\*\* THE LANDFILL HAD FOR YEARS HAD NUMORIOUS FIRES, CHEMICAL FIRES AND WAS PUT OUT BY SAND COVER. WE HAD ASBOSTICE AND RADIATION MATERAL FROM XRAY MACHINES:AND HOSPITAL REFUGE. BEN HARDY APPROVED THE DUMPING OF THIS MATERAL



We had a fire that lasted app 20 days but under Ben Hardy supervison and my management we put the fire out. lot of complaints and paper publicity; and fined.

Ben Hardy was called befor the Grand Jury where he told the Grand Jurey he fired me. But said not to worry we had the same agreement and we would put MACK in charge for a front and our deal stayed the same. ( after all, the equipment was Mine) no equipment would have closed the landfill down. (PERJURY BY BEN HARDY IN THE GRAND JURY HEARING).

\*\*I had a agreement to fill the land fill in 18 months, but was voided when I was Supposed to be fired so the state /Closed the Landfill and Hardy was to blame. LYING TO THE GRAND JURY. STATING HE WAS SUPERVISING MACK. OPERATIO<sup>n</sup>.CLOSED APP 1975

M.\*\*\*\*\* I CONTINUED WORKING WITH E.P.A. OFF AND ON UNTILL 1980 E.P.A. ORDERED APP 50 BARELLS OF CHIMINAL LOCATED ON THE RIVER BANK TO BE REMOVED. I ACCEPTED THE JOB.OF REMOVING THE BARRELS.

I HIRED RICHARD BROWN FOR \$1,000.00 TO LOCATED THE BARRELS AND HIRED KNOX SANITATION TIPSTERS TO MOVE THE BARRELS TO TOP OF HILL WHERE A CHEMICAL E.R.A. *approved* TANK TRUCK HAULED . THE CHEMICALS TO CINNCINNATI OHIO AND MY FEE WAS \$2,000.00 WHICH BEN HARDY PROMISED HE WOULD PAY, STILL NOT DAID. I KNOW BEN HARDY WAS HAVING MONEY PROBLEMS AND I TRUSTED HIM AND HE ASSURED I WOULD GET PAID,, I BELEIVED IN BEN HARDY MY LEGAL ADVISOR AND FRIEND. AND PRESIDENT OF THE OWNER THE HOFGESANG FOUNDATION, INC. DID HAVE MONEY.AND CONTROLLED BY BEN HARDY: NOT PAID TODATE:

N.\*\*\*\*\* MY MONEY FOR OPERATING LEE's LANE WAS PAID BY THE EAGLE MACHINE OFFICE IN LOU. 3745 CRITTENDEN DR. PAID BY THE BOOKEEPER AND WAS PAID BY CHECK. NO CASH.

O. PAUL LYNCH MANAGED AND SUPERVISED THE ESTATE WITH APPROVAL OF THE OPERATION BY Ben Hardy.

# 1. I told Ben Hardy I was entitled to the 50/50 % of the sand sold for flood wall, He suied and judgement APP. \$140,000.00 (but Ben settled for \$80,000.00) again Ben deep in debt, ask me to let him pay later.

Foundation or J.H realty and Ben Hardy owed me \$40,000.00 DOLLARS:

NOT PAID TODATE.

(3) PLUS 5% of sale price of acers for floodwall.



I CONTINUED WORKIN WITH E.P.A. ON THE LANDFILL AND THE LAST MEETING WAS AT RUBBER PLANT ON BELLS LANE APP 1987.

➤ # 2. 1975 I started managin Eagle Macnine , Inc. D.B.A. Crittenden drive salvage. I was in Frankfort bidding on a salvage job for Ky. a friend of mine that worked there told me the Fair Board wanted to purchase the 18 acers of Joe Home place 3745 Crittenden Dr. for expansion of the Fair Grounds.

➤ # 3. I told Ben and we went to Frankfort and offered whatever they need legal papers, copy of Deed and plot plan. full cooperation in the purchase.

✗ # 5. Ben Hardy and I agreed for my services I would be paid %5 of Sale price to the State. (I compleated my job, workin with Engineers, state officals, Bidders to make the move and etc,) Sold to State \$1,350,000.00 ONE MILLION THREE HUNDRED THOUSAND DOLLARS. MY FEE NOT PAID TODATE.

➤ # 6. 1978 BEN HARDY NOTIFIED ME KNOX SANITATION OPERATED BY MACK WAS GOING OUT OF BUSINESS. Ben asked me to go with him and decide if he should sell or operate. ( I made a survay of the business and it looked profitable, so Ben and I agreed for me to Promote and make the operation profitable, on 50/50 5 profit basis. I made Knox profitable, Found out after investin Personally \$180,000.00 Dollars that Ben Hardy stole app. \$41,000.00 Forty One thousand Dollars from the FEDERAL EMPLOYEES TAX FUND AND USED FOR HIS PERSONALL BILLS. (I WAS NOT SUPPOSED TO INVEST BUT DID SO TO PROTECT MY INTREST) ( WE ARE STILL IN COURT IN ETOWN, WHERE

*Knox*

➤ ✗ THE COURT OF APPEALS RULED HARDY PERSONALLY AND KNOX WERE TO PAY ME) (SURLEY HE DID NOT TAKE JUST FEDERAL TAX MONEY-RECORDS PROVE LARGE SUMS TAKEN  
✗  
\*\*\*\*\*FROM 1972 thru 1982 I managed the Estate and the

Foundation, inc. doing various jobs, repairing houses, & commercial bldgs, selling realty and etc. INCLUDING DO.INC. AND BEN HARDY PERSONAL PROPERTY  
HIS HOME AND THE HOME PLACE FOR HIS DOUGHTERS WEDDING. THE MONIES TO PAY FOR ALL REPAIRS WERE FROM THE HOFGESANG ESTATE. CHECKS ISSUED TO CIRCLE CONSTRUCTION CO OWNED BY ME.

➤ # 7. I FOUND OUT AFTER AND DURING THE FRAUDLENT LAW SUIT FILED IN  
(A)



ETOWN KNOX CASE THAT BEN NEVER INTENDED TO PAY ME. *Fraud*

*X* FALSE PROMISE TO PAY ME--FRAUD WELL PLANNED--by BEN HARDY

➤ # 8. TO PROTECT MYSELF FILED SUIT IN 7th CIRCUIT COURT IN LOU. AND

A FULL JURY GAVE THE FOLLOWING JUDGEMENT: FOR EAGLE MACHINE MOVE:

➤ (A) BEN HARDY TO PAY PAUL LYNCH \$25,000.00--PARTLY PAID

➤ (B) HOFGESANG ESTATE PAY PAUL LYNCH \$25,000.00 PAID

EAGLE MACHINE \$25,000.00 TO PAUL LYNCH--NOT PAID TODATE

➤ (C) EAGLE MACHINE JUDGEMENT BY FULL JURY \$100,000.00 TO T-90- TRUCKS, INC NOT PAID TODATE ~~SINCE~~ JUDGEMENT IN 1983.

➤ D. BEN HARDY PARTIAL PAYMENT CAME ABOUT BECAUSE OF A LONG FRIENDSHIP OF

ME TO BEN HARDY THAT I FELT WAS A FRIEND ( ONE BAD JUDGEMENT MY LEGAL

ADVISOR, FAMILY ASSOCIATION AND BUSINESS VENTURES) AND PERSONALL

VENTURES THROUGHT LIFE: SINCE LATE 1950 tell 1982. THIS LED TO ME

LYING TO THE WORKMANS COMP BOARD, WITH BEN HARDY MY LEGAL ADVISON

STATING HE COULD WIN THE ACCIDENT <sup>over</sup> THAT HAPPENED TO JOEL STRICKLAND, THAT

WE ALLWAYS PAID BY CHECK AS A GENERAL CONTRACTOT, THAT I WAS THE OWNER,

OF CRITTENDEN STEEL AND SALVAGE THE NEW NAME CHANGE IN THE EAGLE MOVE

IN 1980 JAN. JUDGEMENT AGAINT ME PERSONALLY AS BEN HARDY FILLED ILLEGAL

*Knox.* LAW SUIT IN ETOW<sup>N</sup> WITHDREW STATING CONFLICT OF INTRES<sup>T</sup> IN WORKNMANS CASE.

➤ \*\*\*\*PARTIAL PAYMENT OF BEN HARDY JUDGEMENT WAS DUE TO ATTACHMENT BY

THE UNINSURED FUND. ( APP # 12,000,00 deducted from PAY OFF OF HARDY

JUDGEMENT) BEN HARDY OWES ME THE MONEY ATTACHED BY THE UNINSURED FUND

AND THE FOOL BEN MADE OF ME. BY FALS SWEARING UNDER HIS LEGAL ADVICE.

AND HIS WELL PLANNED FRAUDGELANT PLAN NEVER TO PAY AND FALSE PROMISES *NOT*

TO PAY ME.

\*\*\*\* HARD TO BELEIVE BUT TRUE \*\*\*\*

➤ # 9 I WAS NOT DESPERATE FOR MONEY AS MY OTHER BUSINESS HAD A GOOD INCOME

AND MY FRINDSHI<sup>K</sup> TO BEN HARDY AND HIS FINANCAL PROBLEMS ALLOWED FOR HIM

TO TAKE ADVANTAGE OF ME. I RETIRED IN 79 BUT <sup>S</sup>TILL WORKED WITH THE UNDER

STANDING MY DOUGHTER ( MY SONS HALF SISTER, THAT I RAISED) THE MONEY

EARNED BY ME AND THE TRANSFER AND PURCHASE OF MY TRUCKING CO TO THERE CO.

WAS TO SEND THEM TO LAW SCHOOL. (5)



AND AFTER LAW SCHOOL THEY WERE SUPPOSED TO WORK IN BEN HARDY OFFICE.

> #10 T\_90 TRUCKS, INC. LOST ALL THE EQUIPMENT, TRUCKS, FLAT BRD, REFERS, CRAINS  
ALL LOST AND SOLD TO FINANCE THE ILLEGAL ACTIVITES OF COURT COST AND  
LEGAL FEES. AND ETC.  
\*\*\*\*\*FRAUD\*\*\*\*\* COMPLAINT AGAINST BEN HARDY\*\*\*\*\*FRAUD\*\*

> #11 MY MAIN COMPLAINT IS THE WELL PLANNED FRAUD PLANNED BY HARDY NOT TO  
PAY ME AND THE FINANCAL LOSS AND FALSE CLAIMS THAT BEN HARDY HAS NOT  
PEOVED TODATE..PLUS HIS ILLEGAL LAW PRACTICE AS FOLLOWS.

> \*- NOT CARRING OUT VERBAL AGREEMENT WITH JOE HOFGESANG. \*\*\*\*\*

> \*\* - CHARGING LARGE ILLEGAL FEE TO THE ESTATE. NO RECORD OF TIME. \*\*\*\*\*

> \*\*\* - BEN HARDY ALTER EGO OF THE ESTATE AND FOUNDATION. TAKING MONEY WITHOUT  
TIME RECORDING HIS HOURS FOR THE ESTATE. \*\*\*\*\*

> \*\*\*\* - NO ONE TO CONTROLL HIS OPERATION OF THE ESTATE:TAKES MONEY ANYTIME NEEDED:  
ABUSING CREDITORS, REMOVING FUNDS SO CREDITORS ARE NOT COVERED, JUST  
PLAIN FRAUD. ( THIS IS HARDY PERSONALLY, ESTATE AND THE HOFGESANG, FOUNDATION,  
INC. CONTROLLED AND OPERATED FOR BEN HARDY PERSONAL GAIN\*\*\*\*\*

> \*\*\*\*\* THE ESTATE OR THE FOUNDATION NOW 1/10th OF ORIGINAL SIZE AND CHARGING  
LARGE ILLEGAL LEGAL FEES.\*\*\*\*\*

\*\*\*\*\*  
> LAST YEAR HIS ILLEGAL LARGE LEGAL FEE IS \$165,000.00 DOLLARS. ONE  
HUNDRED SIXTY FIVE THOUSAND DOLLARS. ( NO BUSINESS OPERATING TO DEVERT  
INCOME TO HIM BY FRAUDLENT MEANS.\*\*\*\*\*

^

\*\*\*\*\* BEN HARDY PERJURED HIMSELF IN EAGLE VS. COMMONWEALTH. STATES AS  
FOLLOWS. ( FIRST HE COMPILED THE RECORDS OF THE COST OF THE EAGLE MOVE, THEN  
TURNED AROUND AND SAID HE HAD NO FILES. BUT IN AFFIDAVIT STATE HE AND I DEPOSITED  
THE RECORD OF THE MOVE COST IN FRANKLING CIRCUIT COURT.) PERJURY BY HARDY:



EVIDENCE AND PROOF CONTINUED. THE FEDERAL TAX AGENTID SOLD THE EQUIPMENT AT PUBLIC AUCTION AND USED THAT MONEY TOWARD THE MONE STOLE BY HARDY, THIS CAUSED KNOX TO GO BANKRUPTCY AND THE UNPAID TAX OWED BY HARDY WAS TAKEN FROM A SALE OF PROPERTY ON HURSTBOURNE LANE. THE FED EMP. DEDUCTED \$19,000.00 DOLLATS AND THE I.R.S. DEDUCTED FORTY THOUSAND FOR HARDY DELENQUENT FED. TAX OWED BY BEN HARDY.

EVIDENCE AND PROOF, BEN HARDY HAS NO RESPECT FOR THE LAW OR THE COURTS AS HE HAS PERJURED HIMSELF IN EVERY CASE TODATE. FEDERAL OR STATE COURTS.

BEN HARDY WILL DO ANYTHING FOR MONEY AS HE IS DEEP IN DEBT: HE TOOK FED EMP TAX, I.R.S.--HIS WIFES INHEARANTICE \$ 135,000.00, ROBERT HANSFOR 1/2 OWNER OF CHEMICAL PLAN, IND. WHERE STRICKLAND GOT HURT. SALVAGING BLD MATERAL. HANSFORD LOSS APP \$80,000.00 DOLLARS , RED MILLER GARAGE ETOEN AND ETC. APP. \$4,80-.00 DUE MILLER SINCE 1083. AND OTHER CREDITORS.

HARDY ==PERJURY==HARDY  
==KNOX SANITATION CASE==

\*\*\*\*\*BEN HARDY IN TWO FEDERAL BANKRUPTCY CASES ==PERJURED HIMSELF BY TELLING JUDGE DEATE A FEDERAL JUDGE==THAT KNOX WOULD PAY IT'S BILLS.==BOTH CASES DISMISSED

KNOX SANITATION DISCOVERY CASE (ALL IS OF RECORD IN VARIOUS COURTS)  
BEN HARDY WAS TO PRESENT BILL'S OUTSTANDING==HE DID NOT BRING IN FED TAX BILL OR FEDERAL EMPLOYEES TAX FUND IN THE AMOUNT OF APP.\$41,000.00 DOLLARS AND STATED THAT WAS ALL THE BILLS DUE AND PAYABLE BY KNOX. BEN HARDY STOLE THE FEDERAL WITHOLDING TAX AND CAUSED THE FED. EMP TAX DEVISION TO BANKRUPTCY KNOX.

==BEN HARDY==

==FRAUD==

EN

BEN HARDY IN COURT RECORDS HE HAS TAKE LOTS OF MONEY FROM KNOX SANITATION AND THAT ALSO CONTRIBUTED TO KNOX BANKRUPTCY:

==Ben Hardy REAL FRAUD==

aa ONE HUNDRED THOUSAND DOLLAR BOND TO GUARANTEE THE HARDING COUNTY COURT (TO PROTECT THE COUNTY. AND THE CITIZENS AND CREDITORS WAS REMOVED BY ANOTHER SANITATION REPLACING THE BOND, BUT NOT ASSUMING THE CREDITORS AND WITHOUT NOTIFYING CREDITORS OF THE REMOVAL OF THE BOND.

CREDITORS WERE AS FOLLOWS

HARDY REMOVED THE BOND TO DEFEAT THE CREDITORS """"

PAGE EIGHT

THE FEDERAL EMPLOYEES TAX. DIVISION \$41,000.00 DOLLARS=NO CHANCE TO LEVY OR  
COLLECT=SOLD WHAT THE FEDERAL TAX DEVISON COULD FIND. AUCTION BANKRUPTCY  
KNOX. ( IT TOOK THE FEDERAL TAX MAN TO WAIT APP THREE YEARS TO GET PAID, BALANCE  
APP. \$19,000.00 DOLLARS

RED MILLER WITH APP. \$4,800.00 DOLLARS JUDGEMENT IN KNOX CAS 1983 =NOT PAID TODATE:  
RED MILLER OPERATES A GARAGE IN ETOW.

HARDY DID NIOT FILE FED. TAX. 78 THRU 83

OTHER C REDITORS STILL OUTSTANDING

WILL NOT FILE ACCOUNTING OF KNOX IN THE CAS # 82CI-550 HARDIN CIRCUIT COUR ORDERED.

BELEIVE IT OR NOT

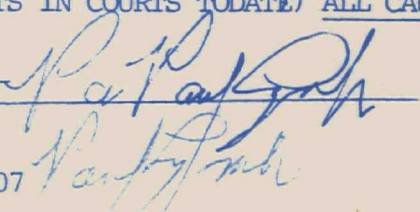
KNOX RECORDS AND TESTOMONY BY HARD SHOWES HE DIVERTED LARGE SUMS OF KNOX MONEY  
TO HIS PERSONAL ACCT AND STOLE MONEY OF KNOX THAT HE PLACED IN OTHER ACCOUNTS.

BEN HARDY BANKRUPTCY KNOX SANITATION

BEN HARDY RUIEND OTHER BUSINESS OF THE  
FOUNDATION BY NOT PAYING CREDITORS AND  
DRAWING OUT LARGE SOMES OF MONEY FOR PERSONAL USE:

MOST OF THE ABOVE IS IN COURT RECORDS.

AFFIANT: STATES TO THE BEST OF HIS KNOWLEDGE THE ABOVE STATEMENTS  
GEBERALLY COVER THE TRUTH OF THE OPERATION OF THE HOFGESANG ESTATE AS DISCRIBED FROM  
PAGE ONE THRU PAGE SRVEN(8) (THERE ARE APP.5 LAW SUITS IN COURTS TODATE) ALL CAUSED  
BY BEN HARDY ILLEGAL ACTS. CREATING HIS OWN LEGAL FEE:

BY AFFIANT:   
PAUL LYNCH  
227 SAGE RD.  
LOU. KY. 40207

(502) 895-2211

NOTARY KY AT LARGE:

AFFIANT PAUL LYNCH APPEARED BEFORE ME THIS JAN. <sup>24<sup>th</sup></sup> 1989 AND STATE

THE ABOVE TO BE HIS ACT AND DEED

NOTARY 

Notary Public, Jefferson County, KY

EXPIRES Commission expires Mar. 26, 1990